

Honorable Karen L. Strombom

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT TACOMA

EMPLOYEE PAINTERS TRUST HEALTH &
WELFARE FUND, WESTERN
WASHINGTON PAINTERS DEFINED
CONTRIBUTION PENSION TRUST,
WESTERN WASHINGTON
APPRENTICESHIP AND TRAINING TRUST,
WESTERN WASHINGTON PAINTERS
LABOR MANAGEMENT COOPERATION
TRUST FUND, INTERNATIONAL UNION
OF PAINTERS & ALLIED TRADES
PENSION FUND and INTERNATIONAL
UNION OF PAINTERS & ALLIED TRADES
DISTRICT COUNCIL NO. 5,

Plaintiffs,

vs.

STEPHEN J. LIOTTA and "JANE DOE"
LIOTTA, husband and wife and the marital
community comprised thereof; MICHAEL B.
SHACKETT and "JANE DOE" SHACKETT,
husband and wife and the marital community
comprised thereof; and NORTH SHORE
GENERAL CONTRACTORS, INC., a
Washington corporation,

Defendants.

CAUSE NO.: C05-5104KLS

ORDER FOR DEFAULT JUDGMENT

Clerk's Action Required

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1 Plaintiffs Employee Painters Trust Health & Welfare Fund, Western Washington
 2 Painters Defined Contribution Pension Trust, Western Washington Apprenticeship and
 3 Training Trust, Western Washington Painters Labor Management Cooperation Trust Fund,
 4 International Union of Painters & Allied Trades Pension Fund and International Union of
 5 Painters & Allied Trades District Council No. 5 have moved the Court for Default Judgment
 6 against Defendants Stephen J. Liotta and "Jane Doe" Liotta, husband and wife and the marital
 7 community comprised thereof; Michael B. Shackett and "Jane Doe" Shackett, husband and
 8 wife and the marital community comprised thereof; and North Shore General Contractors, Inc.,
 9 a Washington corporation (Employer).

10 SUMMARY OF JUDGMENT

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| 11 | 1. Judgment Creditor: | Employee Painters Trust Health & Welfare |
| 12 | | Fund, Western Washington Painters Defined |
| 13 | | Contribution Pension Trust, Western |
| 14 | | Washington Apprenticeship and Training |
| 15 | | Trust, Western Washington Painters Labor |
| 16 | | Management Cooperation Trust Fund, |
| 17 | | International Union of Painters & Allied |
| 18 | | Trades Pension Fund and International Union |
| 19 | | of Painters & Allied Trades District Council |
| 20 | | No. 5 |
| 21 | 2. Judgment Debtor: | Stephen J. Liotta and "Jane Doe" Liotta, |
| 22 | | Michael B. Shackett and "Jane Doe" Shackett, |
| 23 | | and North Shore General Contractors, Inc. |
| 24 | 3. Contributions: | \$286.40 |
| 25 | 4. Liquidated Damages: | \$102.03 |
| | 5. Interest to Date of | \$37.05 |
| | Judgment: | |
| | 6. Costs: | \$446.34 |
| | 7. Attorney's Fees: | \$942.00 |
| | 8. Post-Judgment Interest: | 12% per annum |
| | 9. Attorney for Judgment | Robert A. Bohrer, WSBA No. 5050 |
| | Creditor: | EKMAN, BOHRER & THULIN, P.S. |

1 Pursuant to Plaintiffs' Motion for an entry of Default Judgment against Defendant
2 Employer and the Court having considered the pleadings on file, including the Order of Default
3 entered on April 6, 2005, and otherwise being generally advised, it is hereby

4 **ORDERED** that Plaintiffs be awarded a Default Judgment against Defendant Employer
5 in the amount \$1,813.82 representing contributions covering the period September 2004 in the
6 amount \$286.40, liquidated damages in the amount \$102.03, interest in the amount \$37.05,
7 costs in the amount \$446.34, and attorney's fees in the amount \$942.00, for a total amount
8 owing of \$1,813.82.

9 **IT IS FURTHER ORDERED** that such Default Judgment is deemed a final judgment
10 pursuant to FRCP 54(c) and there is no just reason for delay in entry of such judgment on
11 Plaintiffs' claims herein.

12 **IT IS FURTHER ORDERED** that this Judgment shall accrue interest on the total
13 unpaid balance at the rate of 12% per annum, pursuant to the terms of the Trust Agreement(s)
14 to which Employer is bound.

15 **IT IS FURTHER ORDERED** that this Judgment is without prejudice to Plaintiffs'
16 right to pursue future disclosures of delinquent contributions during the same period covered by
17 this Judgment.

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19 DATED this 29th day of April, 2005.
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23 s/ Karen L. Strombom
24 U.S. Magistrate Judge
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1 Presented by:

2 s/Robert A. Bohrer

3 WSBA #5050

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